

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

This filing relates to PREPA.

**REPLY OF THE PUERTO RICO ELECTRIC POWER AUTHORITY TO RESPONSE
FILED BY CLAIMANT ISLA DEL RÍO, INC. [ECF NO. 21228] TO THE FOUR
HUNDRED SIXTY-EIGHTH OMNIBUS OBJECTION (NON-SUBSTANTIVE) TO
SUBSEQUENTLY AMENDED CLAIMS**

To the Honorable United States District Court Judge Laura Taylor Swain:

The Puerto Rico Electric Power Authority (“PREPA”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the representative of PREPA pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic*

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Stability Act (“PROMESA”),² files this reply (the “Reply”) to *Response to “Four Hundred Sixty-Eight Omnibus Objection (Non-Substantive) of Puerto Rico Electric[] Power Authority to Be [sic] Subsequently Amended Claims”* [ECF No. 21228] (the “Response”) filed by Isla del Río, Inc. (“Isla”), and in support of the *Four Hundred Sixty-Eighth Omnibus Objection (Non-Substantive) of the Puerto Rico Electric Power Authority to Subsequently Amended Claims* [ECF No. 20799] (the “Four Hundred Sixty-Eighth Omnibus Objection”). In support of the Reply, PREPA respectfully states as follows:

1. On May 13, 2022, PREPA filed the Four Hundred Sixty-Eighth Omnibus Objection seeking to disallow, in accordance with Federal Rule of Bankruptcy Procedure 3007(d)(3) and the Amended Omnibus Objection Procedures,³ certain claims that have been amended and superseded by a subsequent proof of claim, each as listed on Exhibit A thereto.

2. Any party who disputed the Four Hundred Sixty-Eighth Omnibus Objection was required to file a response by 4:00 p.m. (Atlantic Standard Time) on June 13, 2022, in accordance with the Court-approved notices attached to the Four Hundred Sixty-Eighth Omnibus Objection as Exhibit C, which were served in English and Spanish on the individual creditors subject to the Four Hundred Sixty-Eighth Omnibus Objection, the U.S. Trustee, and the Master Service List (as defined in the *Sixteenth Amended Case Management Procedures* [ECF No. 20190-1]).

3. Isla filed a proof of claim against PREPA on May 8, 2018, and it was logged by Kroll as Proof of Claim No. 11464 (the “Original Claim”). The Original Claim purports to assert \$195,019.30 in liabilities associated with certain pending litigations between PREPA and Isla.

² PROMESA is codified at 48 U.S.C. §§ 2101–2241.

³ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Four Hundred Sixty-Eighth Omnibus Objection.

Subsequently, on March 10, 2022, Isla filed a second proof of claim against PREPA, and it was logged by Kroll as Proof of Claim No. 179740 (the “Amended Claim”). The Amended Claim purports to assert \$453,780 in liabilities associated with the same pending litigations between PREPA and Isla. The Amended Claim also states, in Box 4 of the proof of claim form, that it amends the Original Claim.

4. The Response, which was filed on June 13, 2022, states that the Four Hundred Sixty-Eighth Omnibus Objection “is correct, [the Amended Claim] was meant to be filed as Amended Claim No. 11464.” Response at ¶ 4. Accordingly, Isla “consents to the objection to the extent that Isla’s intention was to amend its claim only with respect to the amount and not to file a new claim.” *Id.*

5. Therefore, because Isla does not dispute that the Original Claim should be disallowed—and, in fact, consents to the relief sought by the Four Hundred Sixty-Eighth Omnibus Objection—PREPA respectfully requests the Court disallow the Original Claim. PREPA reserves its right to object to the Amended Claim on any grounds whatsoever.

6. For the foregoing reasons, PREPA respectfully requests the Court sustain the Four Hundred Sixty-Eighth Omnibus Objection and disallow the Original Claim.

Dated: June 22, 2022
San Juan, Puerto Rico

Respectfully submitted,

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